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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,905	01/23/2004	Douglas D. Coolbaugh	BUR920030177US1	1904
29625	7590	11/30/2004	EXAMINER	
MC GUIRE WOODS LLP 1750 TYSONS BLVD. SUITE 1800 MCLEAN, VA 22102-4215				HU, SHOUXIANG
ART UNIT		PAPER NUMBER		
				2811

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/707,905	COOLBAUGH ET AL. 
Examiner	Art Unit	
Shouxiang Hu	2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 September 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 16-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 16-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 23 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 16-23 in the reply filed on September 10, 2004 is acknowledged.

### ***Drawings***

2. Figure 1 is objected to, as it should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).  
Furthermore, figures 1-4 are objected to, as they appear to be informal.  
Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claim 18 is objected to because of the following informalities and/or defects:  
In claim 18, all the terms of "forming" should read as: --selecting--.  
Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on-sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 16-23 are rejected under 35 U.S.C. 102(b) as being anticipated by applicant's admitted prior art ("AAPA").

AAPA discloses a method of fabricating a varactor (Fig. 1), comprising: providing a semiconductor substrate (12 and 26, which can be naturally regarded as a substrate at least for the layer 34 thereon); doping a lower region (14, N+, and 16 (a collector), N; forming a cathode) of the semiconductor substrate; doping a middle region (24, N, forming an HA junction) of the semiconductor substrate; and, doping an upper region (26, P+; forming an anode) of the semiconductor substrate.

Regarding claims 21-23, the method of AAPA further comprises the steps of forming an isolating region (18), a reach-through implant (20), and a silicide layer (32).

6. Claims 16-20 are further rejected under 35 U.S.C. 102(b) as being anticipated by Kajimura (JP 4-62977, 2/27/1992).

Kajimura discloses a method of fabricating a varactor (Figs. 1-3; also see its English abstract and/or titles), comprising: providing a semiconductor substrate (12 and 11); doping a lower region (11, N+, and, 12, N; naturally forming a collector/cathode) of the semiconductor substrate; doping a middle region (15, N, an HA junction) of the

semiconductor substrate; and, doping an upper region (16, P+; forming an anode) of the semiconductor substrate.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajimura.

The disclosure of Kajimura is discussed as applied to claims 16-20 above.

Although Kajimura does not expressly disclose that the method can further comprise the steps of forming an isolating region, a reach-through implant, and/or a silicide layer, one of ordinary skill in the art would readily recognize that such steps are each common in the art for forming desired element isolation structure and/or forming contact to the collector region with reduced connection resistance, as readily evidenced in the prior art, such as in applicant's admitted prior art (see Paragraphs 0012 through 0019 of the instant specification).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the steps of forming an isolating region, a reach-through implant, and/or a silicide layer into the method of Kajimura, so that a

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method for forming a varactor with desired element isolation and/or with reduced connection resistance to the collector region would be obtained.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References A, B and M are cited as being related to a method for forming a varactor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shouxiang Hu whose telephone number is 571-272-1654. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on 571-272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH

November 22, 2004



**SHOUXIANG HU**  
**PRIMARY EXAMINER**